

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

-FILING

FILED

AUG 11 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HRL

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROGELIO ESPINOZA-BAZA,

Defendant.

CR - 08 00534 JF  
No.

VIOLATION: 8 U.S.C. § 1326 –  
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

INFORMATION

The United States charges:

On or about May 3, 2007, the defendant

ROGELIO ESPINOZA-BAZA,

an alien, previously having been arrested and deported from the United States on or about February 23, 2005, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States, in violation

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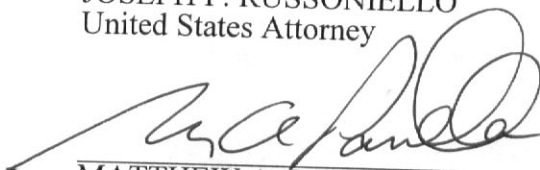
INFORMATION

*United States v. Espinoza-Baza*

1 violation of Title 8, United States Code, Section 1326.  
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3 DATED: August 7, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

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7 MATTHEW A. PARRELLA  
Chief, San Jose Office

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9 (Approved as to form:   
10 DANIEL R. KALEBA  
11 Assistant United States Attorney  
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AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**
 Title 8, U.S.C. § 1326 - Illegal  
 Re-Entry Following Deportation

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony
**PENALTY:**
 20 years imprisonment  
 \$250,000 fine  
 3 years supervised release  
 \$100 special assessment fee
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

 Name and Office of Person  
 Furnishing Information on  
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y  
 (if assigned)

DAN KALEBA

 Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT

ROGELIO ESPINOZA-BAZA

DISTRICT COURT NUMBER

HRL

CR-08 00534 JF

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer  
 been filed?

☐ Yes  
☐ No

 If "Yes"  
 give date  
 filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted
**PROCESS:**
☐ SUMMONS ☒ NO PROCESS\*
☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**ADDITIONAL INFORMATION OR COMMENTS**